

## Comment Letter 0067 Continued

ATTACHMENT ONE  
ENCLOSED AS PART OF SIERRA CLUB CALIFORNIA  
COMMENTS ON THE CAHSR DRAFT EIR/EIS  
Sierra Club/Loma Prieta Chapter 8/28/2004 Response Letter: CAHSR- DRAFT EIR/EIS

	Northern Tunnel	Diablo Direct Minimize Tunnel	Tunnel under Park	Pacheco Pass Via Gilroy	Pacheco Pass Via Gilroy Bypass
<b>Cost Dollars</b>	\$4.45 billions	\$4.52 billions	\$4.66 billions	\$4.35 billions	\$4.57 billions
	The least expensive alternative among the proposed route options is estimated at \$4.35 billions. It is important to note that even with the overstated cost estimation of Altamont Pass (Please refer to the Alternative Chapter of this response letter for an analysis of the overstated construction and mitigation cost of Altamont Pass), it is still less expensive than any of the proposed alignments by more than 50%. Adding to the significant difference in construction and mitigation cost is the operational cost that will definitely be at a lower cost as well.				
<b>Cultural Resources and Paleontological Resources:</b> Potential presence of historical resources in area of potential effect	7 known cultural resources Would pass through remote terrain that avoids historical architecture. Northern tunnel option has least known cultural resources of the three Diablo Range options.	21 known cultural resources Would pass through remote terrain that avoids historical architecture.	22 known cultural resources Would pass through remote terrain that avoids historical architecture.	13 known cultural resources Pacheco Pass options have lower sensitivity rankings for archeology, but have high sensitivity ranking for historical architecture through the Santa Clara Valley.	15 known cultural resources Pacheco Pass options have lower sensitivity rankings for archeology, but have high sensitivity ranking for historical architecture through the Santa Clara Valley.
	Although the DRAFT EIR/S data refers to the reported number of cultural resources as "known" resources, it is unreasonable to compare these numbers at this stage of incomplete data acquisition. Therefore, analyzing the different alternative options for the Bay-Area-to-Merced Segment is not possible.				
<b>Travel Time (min):</b> (San Jose to Sacramento and San Jose to Los Angeles) Based on optimal express travel	San Jose to Merced: 34 min San Jose to Sacramento: 50 min San Jose to Los Angeles: 1 hr 54 min	San Jose to Merced: 32 min San Jose to Sacramento: 50 min San Jose to Los Angeles: 1 hr 54 min	San Jose to Merced: 32 min San Jose to Sacramento: 50 min San Jose to Los Angeles: 1 hr 54 min	San Jose to Merced: 40 min San Jose to Sacramento: 1 hr and 15 min San Jose to Los Angeles: 1 hr 34 min	San Jose to Merced: 40 min San Jose to Sacramento: 1 hr and 15 min San Jose to Los Angeles: 1 hr 34 min

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	Northern Tunnel	Diablo Direct Minimize Tunnel	Tunnel under Park	Pacheco Pass Via Gilroy	Pacheco Pass Via Gilroy Bypass
	The project's objective is to create a fast link between the major cities of California. With the proposed alternative options, this objective is not met with respect to Sacramento. With 50 minutes to 1 hour and 15 minutes travel time between Sacramento and San Jose, this project will encourage the use of the personal cars and violates several important economic and environmental criteria of the execution of the HSR.				
<b>Land Use and Planning, Communities and Neighborhoods, Property, and Environmental Justice</b>	Compatibility: Low because of new corridor. Environmental Justice: Low potential minority population impacts Community: No potential impacts Property: Low potential impacts	Compatibility: Low because of new corridor. Also would affect Henry Coe State Park. Environmental Justice: Low potential minority population impacts Community: No potential impacts Property: Low potential impacts	Compatibility: Low because of new corridor. Environmental Justice: Low potential minority population impacts Community: No potential impacts Property: Low potential impacts	Compatibility: Low overall, but higher compatibility in Gilroy. Environmental Justice: Low potential minority population impacts Community: No potential impacts Property: Low potential impacts	Compatibility: Low because of new corridor. Environmental Justice: Low potential minority population impacts Community: No potential impacts Property: Low potential impacts
	All the proposed alternative options present a low compatibility with the local land use since they all require new right-of-ways. The Altamont-Pass option that was previously abandoned is along an existing transportation corridor and worth further consideration when evaluating the most feasible and reasonable alternative route to link the Central Valley to the Bay Area.				
<b>Farmlands:</b> Number of ac (ha) potentially affected	Farmland: 549 ac (222 ha)	Farmland: 553 ac (224 ha)	Farmland: 551 ac (223 ha)	Farmland: 756 ac (306 ha) More potential impacts than Diablo Range Direct options.	Farmland: 770 ac (312 ha) More potential impacts than Diablo Range Direct options.
	Whereas impacts to wilderness and undisturbed parklands are severe along the three proposed alternatives of the Diablo Mountain Range, the two southern alternatives pose significant impacts to the farmland and agricultural resources.				

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	Northern Tunnel	Diablo Direct Tunnel	Minimize Tunnel	Pacheco Pass Via Gilroy	Via Gilroy Bypass
<b>Aesthetics and Visual Resources:</b> Number of potential viewing points and descriptions of high contrast impact areas	Medium potential impacts Viewing points: 0 Natural open space, Henry Coe State Park, Orestimba Valley, I-5  High contrast aerial guideway, cut, fill, catenary, tunnel portal  Would have less potential visual impact than at-grade option across Henry Coe State	High potential impacts Viewing points: 0 Natural open space, Henry Coe State Park, Orestimba Valley, I-5  High contrast aerial guideway, cut, fill, catenary, tunnel portal  Would have most potential visual impacts of the Diablo Range direct options.	Medium potential impacts Viewing points: 0 Natural open space, Orestimba Valley, I-5  High contrast aerial guideway, cut, fill, catenary, tunnel portal  Would have less potential visual impact than at-grade option across Henry Coe State Park	Medium potential impacts 10-20 viewing points Pacheco Creek Valley scenic natural open space.  High contrast in line and color.  Pacheco Pass options would potentially impact visual resources less than Diablo Range options since they would parallel the existing linear feature of SR-152 before going in tunnel to cross the natural area of Pacheco Pass.	
All of the three northern alternatives include at-grade segments and will cause significant visual impacts to the pristine wilderness mountain area. Although parallel to SR-152, the two southern alternatives would also cause a significant visual impact due to segments constructed at grade and within a new transportation corridor.					

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	Northern Tunnel	Diablo Direct Tunnel	Minimize Tunnel	Pacheco Pass Via Gilroy	Via Gilroy Bypass
<b>Biological Resources</b> Including Wetlands: 20 Ac (ha) of wetland and number of special-status species habitat within potential impact study areas	Wetlands: 59 ac (24 ha) Species: 15 Would avoid Henry Coe State Park and potentially impact fewer special-status species than other alignments. High amount of tunneling through Diablo Range would reduce potential fragmentation of wildlife habitat as compared with minimize tunnel option. This option crosses less conservation areas than other Diablo Range Direct options or Pacheco Pass options.	Wetlands: 212 ac (86 ha) Species: 18 Alignment travels through Henry Coe State Park (8.2 mi [13.2 km] total with 2.6 mi [4.2 km] in tunnel). Lowest amount of tunneling through Diablo Range. Would increase potential fragmentation of wildlife habitat compared to other Diablo Range Direct options. All three Diablo Range alignments cross private conservation areas. The Nature Conservancy lands, which are considered conservation areas of importance.	Wetlands: 212 ac (86 ha) Species: 17 Alignment tunnels under Henry Coe State Park (5.9 mi (9.5 km) of Henry Coe State Park). High amount of tunneling through Diablo Range would reduce potential fragmentation of wildlife habitat compared to minimize tunnel option. Direct options. Proximity to SR-152 would result in less fragmentation of undisturbed wildlife habitat than Diablo Range options. Pacheco Pass alignments cross the Romero Ranch conservation area.	Wetlands: 1,059 ac (429 ha) Species: 19 Would potentially impact approximately 100,000 more linear ft (30,480 linear m) of waters and 3,000 ac (1,214 ha) more of special-status habitat than Diablo Direct options. Proximity to SR-152 would result in less fragmentation of undisturbed wildlife habitat than Diablo Range options. Pacheco Pass alignments cross the Romero Ranch conservation area.	Wetlands: 1,094 ac (443 ha) Species: 19 Would potentially impact approximately 100,000 more linear ft (30,480 linear m) of waters and 3,000 ac (1,214 ha) more of special-status habitat than Diablo Direct options. Proximity to SR-152 would result in less fragmentation of undisturbed wildlife habitat than Diablo Range options. Pacheco Pass alignments cross the Romero Ranch conservation area.
Comparison of the number of species along the different alternative route options between Merced and San Jose is based on incomplete and outdated data (Please refer to Chapter 2, of this response letter, for the analysis of the biological data used in the DRAFT EIR/S). Comprehensive biological knowledge along the Diablo Mountain Range and the Pacheco Pass is impossible due to the presence of private properties where no surveys have taken place. This explains the lower number of species along the Northern Tunnel option. Additionally, comparison of habitat fragmentation is only stated in this brief table of the study. The biological chapter lacks any evaluation and assessment of the biodiversity, habitat fragmentation and wildlife corridor impacts. Therefore, the brief table comparison of impacts to habitat fragmentation is not adequate and should be analyzed in detail in the biology section.					

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	Northern Tunnel	Diablo Direct Minimize Tunnel	Tunnel under Park	Pacheco Pass Via Gilroy	Via Gilroy Bypass
Section 4(f) and 6(f) Resources: Number of resources rated high potential direct effects	High: 0 There are few documented Section 4(f) and 6(f) resources in this area.	High: 1 Henry Coe State Park is the second largest state park and a large wilderness area in the Bay Area.	High: 0 This alignment passes under Henry Coe State park completely in a tunnel, with very few potential impacts on the park. There could be some potential temporary impacts during construction, but few potential long-term impacts due to use of tunnel boring machines and in-line construction.	High: 0 Could potentially impact historical structures through Gilroy including the Gilroy train station.	High: 0
As the DRAFT EIR/S states in the Northern-Tunnel column above, that there are few documented Section 4(f) and 6(f) resources along this proposed alignment option. Additionally, a National Wildlife Refuge complex in the vicinity of Los Banos, as well as the northern edge of Pacheco State Park and the Upper Cottonwood Creek Wildlife Management Area are located along the Pacheco Pass alternative alignment. The DRAFT EIR/S fails to list these resources. Therefore, presenting a comparison of the alternative alignment options by using the incomplete 4(f) and 6(f) is inadequate.					

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## 2.3 Flaws in the DEIR/S Analysis

## 2.3.1 Noncompliance with the NEPA and CEQA Guidelines

The DEIR/S does not follow the NEPA and CEQA guidelines to provide a sufficient data collection and adequate analysis to meet the project's objectives.

The HSR project's objectives are mainly to:

- Select a preferred corridor and station locations.
- Define general mitigation strategies to address any potential significant impact.
- Protect and preserve natural resources that include wetlands and waterways, habitat areas of sensitive species of plants and animals, wildlife migration corridors, and agricultural lands.
- Reduce per-passenger energy consumption.

According to the Article 9 Section 15126 of the CEQA guidelines, the "EIR shall include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project." However, the data and analysis provided in this report are insufficient to select a preferred corridor. All of the proposed alternative options between Merced and San Jose pose significant environmental impacts on the biodiversity, sensitive habitats, wetlands, open spaces, parklands, visual resources, agricultural resources, and hydrology. Additionally, these options would promote sprawl and affect minority populations. The revised Draft EIR/S should present several reasonable alternatives and use existing transportation corridors to avoid causing adverse environmental impacts. The omission of Altamont is a clear violation of this objective since it has the least potential to impact environmental resources and provides the greatest opportunity to use an existing transportation corridor. The Pacheco/Diablo routes all violate sensitive natural resources.

Although the Draft EIR/S states that the purpose of the program-level EIR/EIS is to define general mitigation strategies, the study's analysis of mitigation measures is vague and inadequate. Thus, there is insufficient information for decision-makers to evaluate the appropriateness of these measures. The program-level Draft EIR/S should include a detailed description and analysis of the proposed mitigation measures as it is proposing a preferred alignment for the system. Forcing site-specific decisions requires site-specific information adequate to the task. However, since this level of information is not provided, a revised program Draft EIR/S is recommended to provide a precise and adequate description of these measures with respect to each alternative option.

Selected potential HSR corridors between the Bay Area and the Central Valley fail to meet the criteria set in the DEIR/S.

According to the DEIR/S, to select potential HSR corridors, the following criteria were considered as indicators of failing to meet project objectives:

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1<sup>st</sup> criterion- **Construction**: Substantial engineering and construction complexity as well as excessive initial and/or recurring costs.

The proposed Diablo/Pacheco routes have excessive tunneling and leveling work. Construction cost for all of these alternatives exceeds the over estimated cost for Altamont option.

2<sup>nd</sup> criterion- **Environment**: A high potential for considerable impacts on natural resources.

The proposed Diablo/Pacheco alternative routes would impact wetlands, wildlife refuges, water crossings, sensitive habitats, and threatened and endangered species.

3<sup>rd</sup> criterion- **Land Use Compatibility**: Substantial incompatibility with current or planned local land use.

As mentioned above, the Diablo/Pacheco route alternatives pass through very valuable natural resources, for the segments between Gilroy and Merced. Additionally, the proposed Pacheco would impact areas of statewide agricultural importance, unique farmland, and prime farmland. The Tunnel-Under-Park Alternative option has the train traveling through the park and cutting through a wilderness area. This wilderness area is protected under the "California Wilderness Act" (*Please refer to Appendix 7*) that prohibits, among others, any major construction or use of heavy equipment.

4<sup>th</sup> criterion- **Right-of-Way**: A lack of available right-of-way or extensive right-of-way needs that would result in excessively high acquisition costs for a corridor, technology, alignment, or station.

To meet this criterion of minimizing harm to the environment and maximizing usage of existing transportation corridors, the Altamont option should have emerged as the preferred alternative and the routes through Coe should have been eliminated from consideration. Indeed, all the proposed Diablo/Pacheco alternative routes pass through new right-of-ways from Gilroy to Merced and violate this policy.

5<sup>th</sup> criterion- **Connectivity/Accessibility**: Limited connectivity with other transportation modes.

The proposed Los Banos station, along the Pacheco alternative route, is located in an open field and has extremely limited connectivity and accessibility.

6<sup>th</sup> criterion- **Ridership/Revenue**: Longer trip times and/or sub optimal operating characteristics.

All of the Diablo/Pacheco Alternative options, have long trip times from Sacramento to the Bay Area (1:12 hours to 1:40 hours) with no justification. Besides the longer travel time compared to the Altamont route (47 minutes to 59 minutes), the longer railway would entail higher operational costs and affect the revenues.

As explained above, the proposed Diablo/Pacheco alternative routes fail to meet any of the criteria stated in the DEIR/S.

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**Insufficient Analysis to select a preferred corridor between the Central Valley and the Bay Area.**

**The analysis provided in the Draft EIR/S is inadequate and totally insufficient to determine the corridors and alignments that should be carried forward for project-level evaluation.**

The analysis of the environmental resources that would be impacted by the Diablo/Pacheco Alternatives is brief or absent, and does not provide enough information to help in the decision-making. In general, the proposed alternative route options present very similar environmental conditions with comparable adverse environmental impacts. The similarity in the conditions among the proposed alternative alignments, between San Jose and Merced, does not comply with the CEQA and NEPA regulations that require an evaluation of feasible alternatives.

### 2.3.2 Generalized and Vague Proposed Mitigation Measures

All through the DEIR/S, the proposed mitigation measures are generalized and do not address the local impacts of the proposed alignments. Although the DEIR/S assures that local mitigation measures shall be analyzed at the project-level DEIR/S, the generalized mitigation measures described at the program-level cannot be applied to some segments of the HSR. For example, the Draft EIR/S study states that these measures include locating the alignment within an existing transportation corridor. However, for the segment between the Central Valley and the Bay Area, all the proposed alternatives would be within new transportation corridors. Relocating these alignments within a transportation corridor seems inapplicable unless another corridor is selected. Additionally, the study considers tunneling as one of the options to reduce impacts on wilderness areas. However, the study does not consider the negative environmental impacts of the tunnels. Indeed, tunneling would have a severe environmental impact during the construction period caused by the staging areas, access roads, subsurface investigations, and soil disturbance at the entrances and exits of the tunnels. Moreover, the proposed tunnels along the segment between Merced and the Bay Area will have a long-term impact as well. With several entrances and exits, the soil will be severely disturbed and the habitats fragmented with the fences and barriers. It is important to note, as well, that several segments are proposed with at-grade cut-and-fill segments that cause a severe impact on the sensitive habitats and wildlife.

### 2.3.3 Failing to Consider a High-Speed-Route Alternative that links Sacramento to San Jose and San Francisco

The analysis in the DEIR/S acknowledges that travel time between Sacramento and the Bay Area (San Jose and San Francisco) is 25 minutes to 41 minutes faster through Altamont Pass, compared to the Diablo/Pacheco routes. However, the DEIR/S favors the Diablo/Pacheco options by suggesting that the market along the Altamont corridor is a short distance market that holds less revenue, and can be served by commuter rail service.

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**First**, the DEIR/S fails to consider the forecasted ridership in this analysis. Indeed, the forecasted ridership for this system is 42 to 68 million passengers, whereas only 10 million are considered long distance commuters. As such, long distance commuters make up a small fraction of expected total system ridership. Hence, to discount Altamont route because it would serve a short-distance market is inconsistent with the system wide assumptions.

**Second**, the main objective of the HSR project is to link the major cities of California with a fast mass-transit option. By dropping the Altamont Pass from further consideration, the Draft EIR/S fails to consider a reasonable option to link Sacramento to the Bay Area. We believe that the ridership between Sacramento and the Bay Area along any of the Diablo/Pacheco routes would be very low since the travel time of the HSR is comparable to that of the car. Additionally, the time difference between Altamont Pass and Pacheco Pass (25 to 41 minutes) is significant and justifies a thorough comparison of both of these alternatives in a revised Draft EIR/S study.

**Third**, the Draft EIR/S is assuming that the San Joaquin County population represents a short-distance market, and does not hold enough revenue potential. However, the Altamont Corridor is significantly more populated than the Diablo/Pacheco proposed routes. Population along the Altamont corridor would be benefiting from the HSR for short and long distance transportation, whereas the Diablo/Pacheco corridor does not serve any existing population and could induce sprawl near the location of the proposed Los-Banos Station.

**Fourth**, according to the DEIR/S, the option of serving San Francisco via San Jose without the Bay crossing was considered and dropped, since trains would have to reverse direction in San Jose. This would add up to 10 minutes additional travel time to proceed toward San Francisco.

The 10-minute delay, that will add 22 minutes to the overall travel time, was considered an unviable option since it does not meet the project purpose and objectives. However, when the Diablo/Pacheco options were considered and the Altamont option dropped, the analysis in the DEIR/S failed to account for the increased travel time between Sacramento and the Bay Area (25 minutes to 41 minutes). **The HSR is a statewide system focused on providing competitive inter-city travel. The needs of Sacramento should not be considered secondary to other metropolitan areas.** Maximizing travel times throughout the system is consistent with the project objectives.

**The project's objective is to create a fast link between the major cities of California. With the proposed alternative options, this objective is not met with respect to Sacramento. With 1 hour and 40 minutes travel time between Sacramento and San Francisco, this project will encourage the use of personal cars and violates several important economic and environmental criteria of the execution of the HSR.**

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**3 BIOLOGICAL RESOURCES AND AESTHETICS****3.1 General Flaws of the Biological Analysis****3.1.1 Incomplete Database**

**The biological database used in the DEIR/S is not current or complete. As a result, it fails to accurately account for all special status species potentially affected by the project.** Inaccuracies and gaps in the statewide and federal data sets are due to: differences in collection methods; dates of data collection; changes in habitat conditions; lack of updated surveys; and absence of data collection in some areas of the Diablo Range. Although the DEIR/S acknowledges the insufficiency of biological information it includes, and states that further data inquiry will be conducted at the project level to avoid impacting the species and their habitats, the DEIR/S nonetheless bases the selection of a preferred alternative on such incomplete data.

The DEIR/S analysis suggests that the northern alignments that pass through the Mount Hamilton Range and the Henry W. Coe State Park are favorable routes compared to the Pacheco Pass. The analysis used to demonstrate this preferred alternative is based on incomplete data sampled primarily near the Pacheco Pass area. The other northern alignments are located in private land that has not been surveyed yet. However, the DEIR/S concludes that the Northern Tunnel alignment – that passes through private land – would affect fewer special status species.

Given the acknowledged incompleteness of the database on which this conclusion is founded, this statement is unjustified. Of the three alignments, the Northern Tunnel is virtually entirely comprised of privately owned lands, where biological surveys and subsequent data are lacking compared to the other two routes, which traverse more public land readily accessible to survey efforts. This suggests a lack of survey efforts in the Northern Tunnel area, not a lack of special status species.

By emphasizing numbers of special status species as the primary environmental criterion, the range of focus in the DEIR/S is woefully narrow and inadequate. For example, in terms of habitat degradation, the Northern Tunnel option contains the most extensive at-grade routing of all three-alignment possibilities. The assumption of the presence of fewer species, and the DEIR/S in general, suffer by their inability to see and quantify habitat degradation.

Examples of incomplete database spotted through the review:

- Federally protected species: The DEIR/S reported no observation of the Red legged frog (listed on the Federal Endangered Species list) along the suggested northern alignments. Updated surveys by Joseph Belli<sup>6</sup> identified the presence of the red-legged frog in the Diablo Mountain Range.

<sup>6</sup> The California Red-Legged Frog in Henry W. Coe State Park: Year End Report, 2003<sup>7</sup>. By Joseph Belli, submitted to the Sacramento office of the US Fish & Wildlife Service.

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- The reported occurrence of badgers and horned lizard: For the badger, 21 observations are reported in the DEIR/S. All these observations are in southern California. However, it is well known among biologists that badger exist throughout the state of California<sup>7</sup>. However, several occurrence of this species have been reported by Joseph Belli near the northern route. For the horned lizard, one observation in Henry W. Coe State Park was reported in the DEIR/S, while several occurrences have been recently registered. The badger is listed as a California species of special concern, and the horned lizard is a Federal and state species of special concern.

The Federal listed species are candidates for possible future listing as threatened or endangered under the Federal Endangered Species Act. The California Department of Fish and Game has designated certain vertebrate species as "Species of Special Concern" because declining population levels, limited ranges, and/or continuing threats have made them vulnerable to extinction. The goal of designating species as "Species of Special Concern" is to halt or reverse their decline by calling attention to their plight and addressing the issues of concern early enough to secure their long term viability.

### 3.1.2 Comparison of the HSR and the Modal Alternative

Although the HSR is intended to be a better environmental option, the comparison of the HSR to the Modal downplays the serious environmental threats of the HSR project.

*"The HSR alternative would potentially affect fewer special status species than the modal alternative (24-38 for HSR, 80 for modal) because of proposed tunneling in a sensitive part of the region."* (DEIR/S, Page 3.15-21).

This statement is misleading in several ways. First, it implies that tunneling is undertaken for the benefit of sensitive species and habitats, which is a falsehood: all three HSR alternatives traverse a good deal of vital habitat at grade. Indeed, the argument could be made that many of the most sensitive areas are routed at grade (*Please refer to Appendix 4*). Additionally, the tunneling option would not eliminate the threat to the sensitive habitats and wildlife corridors. The DEIR/S does not analyze the impacts of the construction period and all that it might entail, such as access roads, staging areas, and soil disturbance at the entrance and exit of the tunnels. Also, the DEIR/S fails to mention the fences and barriers measures for protection and the impacts of noise, lights and barriers to the sensitive habitats and wildlife movement.

Second, this statement suggests that creating new transportation corridors HSR is environmentally preferable to expanding old ones. Even if it could be proven that fewer special status species would be impacted by one of the alignments, the statement does not take into consideration the fact that additional transportation corridors will further

<sup>7</sup> Ingles, Lloyd G. 1965. Mammals of the Pacific States, Stanford University Press, Stanford, 506 pp.

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fragment the ecosystem and compound problems for at risk species by fragmenting habitat.

Finally, the statement suffers from a lack of perspective by focusing solely on numbers of at risk species instead of looking at the effects on the ecosystem as a whole. The numbers used in the DEIR/S only document special status species. According to the California Department of Fish & Game, *"the database does not include other more common animals and plants, such as those that may be important for game, commercial, or aesthetic reasons. Such species are of concern, and the law requires that they also be considered in any environmental assessment of any nonexempt project."*

Indeed, many species occur in this region that are locally rare or present in low numbers, but more common elsewhere and thus not listed. Losing any of these species would constitute a loss of biodiversity for the region that would go not quantified by the DEIR/S. Here is just a partial list of some of these species: Tule elk, pronghorn, California mountain kingsnake, rubber boa, glossy snake, ringtail, spotted skunk, long-tailed weasel, western grey squirrel, mountain lion, long nosed snake, arboreal salamander, ensantina, western toad, sagebrush lizard, greater roadrunner.

### 3.1.3 Description of the HSR Alternative

The DEIR/S describes the HSR in general as *"located in or adjacent to existing transportation rights-of-way such as highways or railroads, or would be in tunnels or elevated through mountain passes and sensitive habitat areas."* (DEIR/S, Page 3.15-20)

All of the proposed HSR alternative options that link the Central Valley to the Bay Area are exceptions to this statement. These options create brand new corridors, a substantial amount of which is designated at grade in sensitive, valuable wildlife areas. These new corridors also risk damaging native plant communities by creating new avenues of invasion for noxious, invasive non-native plants from other parts of the state arriving via HSR.

The Pacheco route travels at grade several miles north of SR-152 as it crosses Merced County, through wetlands and a wildlife refuge. It also deviates from SR-152 at the base of the Diablo Mountain range, proceeding at grade through lower elevation portions of the Romero ranch, a valuable parcel for conservation purposes purchased by the Nature Conservancy.

The Diablo-direct routes violate this claim even more egregiously by running at grade through a biologically significant watershed (Orestimba Creek), as well as through a designated wilderness area in Henry W. Coe State Park (*Please refer to Appendix 7: The California Wilderness Act*). The Northern Tunnel option progresses at grade through the Simon Newman ranch, another critical conservation property acquired by the Nature Conservancy, as well as the pristine oak savanna habitat of the San Antonio and Isabel

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